

IN THE CLAIMS

This listing of claims replaces all prior listings:

1. (Previously Presented) A positive active material comprising:

~~particles comprising~~ base particles comprising of a lithium oxide compound ~~oxide of lithium~~; and a transition metal; and

wherein,

~~the particles have a layered structure with a coating layer on the base particles~~ comprising an inorganic compound and a carbonaceous material formed on at least part of each surface of the base particles of a the lithium oxide compound ~~oxide of lithium~~, and

wherein,

the coating layer is adhered to the base particles via shearing and compressive stress ~~the inorganic compound comprises a compound oxide of at least one selected from the group of~~ LiFePO₄ and Li₃PO₄.

2. (Currently Amended) The positive active material according to Claim 1, wherein the inorganic compound comprises a compound oxide of at least one selected from the group of LiFePO₄ and Li₃PO₄ ~~is a lithium compound~~.

3. (Original) The positive active material according to Claim 1, wherein the weight ratio of the inorganic compound to the carbonaceous material ranges between 99:1 and 60:40.

4. (Original) The positive active material according to Claim 1, wherein the weight ratio of the particles to the coating layers ranges between 98:2 and 70:30.

5. (Currently Amended) A nonaqueous electrolyte secondary battery comprising:
a negative active material;

a positive active material comprising particles comprising base particles of a lithium oxide compound ~~oxide of lithium~~ and a transition metal, the particles having a ~~layered structure~~

with a coating layer comprising an inorganic compound and a carbonaceous material formed on at least part of each surface of the base particles of a the lithium oxide compound oxide of lithium, the inorganic compound comprising a compound oxide of at least one selected from the group of LiFePO_4 and Li_3PO_4 ; and a nonaqueous electrolyte between the negative and positive active materials.

6. (New) The positive active material according to Claim 5, wherein the weight ratio of the inorganic compound to the carbonaceous material ranges between 99:1 and 60:40.

7. (New) The positive active material according to Claim 5, wherein the weight ratio of the particles to the coating layers ranges between 98:2 and 70:30.